

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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APR 12 2005

In re Application of: )  
)  
Hisashi SEMBA et al. ) Group Art Unit: 1651  
)  
Application No.: 09/870,821 ) Examiner: SAUCIER, Sandra E.  
)  
Filed: June 1, 2001 ) Issue Fee Paid: November 15, 2004  
)  
For: ENZYME REACTION METHOD ) Confirmation No.: 8411  
)  
AND A METHOD FOR )  
ENZYMATICALLY PRODUCING )  
AN OPTICALLY ACTIVE )  
CYANOHYDRIN )

**OFFICE OF PETITIONS**

**Mail Stop 313(c)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**PETITION FOR WITHDRAWAL FROM ISSUE**

Pursuant to 37 C.F.R. § 1.313(c)(2), Applicants hereby respectfully petition the Commissioner to withdraw the above-identified application from issue. The issue fee for this application was paid on November 15, 2004. Concurrently with this petition, and as expressly permitted in Rule 313(c)(2), Applicants submit a Request for Continued Examination under 37 C.F.R. § 1.114 along with an Information Disclosure Statement.

This request for a withdrawal from issue of a prospective United States patent is made for the causes set forth below, which Applicants respectfully submit constitute good and sufficient reasons for the action sought.

Applicants recently received a Notice of Rejection (dated March 8, 2005) for a related application, which cites references not previously presented to and considered

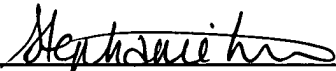
by the Examiner. In view of the foregoing, Applicants respectfully request that this application be withdrawn from issue and that the references be considered in the RCE.

In accordance with the fee schedule set forth in 37 C.F.R. § 1.17(h), please charge the amount of \$130.00 to cover the required fee for consideration of this Petition. Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: April 12, 2004

By:   
Stephanie M. Liva  
Reg. No. 54,278